

UNITED STATES DISTRICT COURT
for the

Southern District of Texas

SEP 23 2014

David J. Bradley, Clerk

United States of America)
 v.)
 Alfred Robert ROSALES Jr.) Case No. M-14-1860-M
 United States Citizen YOB: 1971)
)
)
)

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 23, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S. Code § 2252A (a)(5)(B) Knowingly accessed with intent to view child pornography

This criminal complaint is based on these facts:

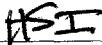
See Attachment "A"

✓ Continued on the attached sheet.



Complainant's signature

Roy D. Castillo, Special Agent



Printed name and title

Approved to file Kimberly Barnes
MSA

Sworn to before me and signed in my presence.

Date: 9/23/2014

10:05 am



Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Peter Ormsby

Printed name and title

Attachment "A"

On September 23, 2014, at approximately 1:00 a.m., Alfred Robert ROSALES Jr. made entry into the U.S., from Mexico, through the Hidalgo, TX, Port of Entry (POE/Hidalgo), on foot. Upon arriving at the primary inspection area, a check on ROSALES indicated he is a previously convicted sex offender. ROSALES was referred into the secondary inspection area for further inspection.

Once in the secondary inspection area, ROSALES was inspected and asked to unlock his cell phone which was a LG G2 cell phone (IMEI#013866-00-257902-6). ROSALES did as instructed. Customs & Border Protection Officer (CBPO) Javier Gaytan noticed that ROSALES appeared to have entered his four (4) digit password and was scrolling through the cell phone. CBPO Gaytan looked at what ROSALES was doing and noticed that it appeared as if ROSALES was deleting items from his cell phone. CBPO Gaytan took possession of ROSALES' cell phone for inspection. Upon inspecting ROSALES' cell phone, CBPO Gaytan searched the internet browser history and found several links to websites that contained images and videos of naked young boys. According to CBPO Gaytan, these young boys appeared to be under the age of eighteen (18). A Google Image history search was also conducted on ROSALES' cell phone which resulted in several images of young naked boys. Some of the boys in the images appeared to younger than eighteen (18) years of age.

Special Agent (SA) Roy D. Castillo arrived at POE/Hidalgo and was informed of the circumstances surrounding ROSALES' entry and the items found in his cell phone. SA Castillo advised ROSALES of his Miranda Rights. ROSALES signed a form indicating he understood his rights and agreed to waive them. SA Castillo conducted an interview of ROSALES with the assistance of CBPO Gilbert Palacios. ROSALES identified his cell phone by pointing it out and providing the cell phone number. ROSALES stated he uses his cell phone to view pornography once to twice a week. ROSALES also stated that on occasion, child pornography will accidentally appear on his cell phone. SA Castillo asked ROSALES what keywords he uses when searching for pornography on the internet. ROSALES stated he often uses the keyword "boy". ROSALES admitted to using the website "m.vk.com" which has access to adult and child pornography. ROSALES was asked about a video clip on his cell phone entitled "shower boys". ROSALES stated he was familiar with this video and that it contained boys in the shower. ROSALES was asked about a search that was conducted on his cell phone using the keywords "bigle.ru nude boy". ROSALES stated this site contained pictures of guys, girls and boys. SA Castillo noticed that the images in this search contained images of young naked boys that appeared to be younger than eighteen (18) years of age.

Assistant U.S. Attorney (AUSA) Kim Leo was informed of the circumstances surrounding the entry of ROSALES, the items found in his cell phone and the subsequent interview. AUSA Leo accepted federal prosecution of ROSALES for a violation of Title 18 U.S. Code 2252A, Possession with intent to view child pornography.